IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.19817 of 2008
BABLU CHAUHAN
Versus
STATE OF BIHAR
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3 30/07/2008 Heard learned counsel for the petitioner and learned counsel representing the State.

Informant's daughter could not see even one summer of her marriage life. She was killed by her in laws because of inability of her parents to provide sufficient dowry articles.

Submission is that the death was on account of chest pain and breathlessness for which the doctor has given certificate which is annexure-2. The informant has filed a petition before the C.J.M., that he came to know later on that his sister died on account of cardiac failure. Other accused persons have been admitted to bail.

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The fact remains that the death was within one year of marriage and there is allegation that deceased was being subjected to torture by her inlaws in connection with dowry related demand. No doubt, other accused persons have been admitted to bail but case of the petitioner cannot be equated with the case of others on account of his devine duty to take proper care of his wife. The inlaws were not even informed and the dead body was cremated. So post mortem is not on the record. Filing of a petition by the informant at this stage is nothing but tempering with the witnesses.

Considering the allegation against the petitioner, I am not inclined to enlarge him on bail. Accordingly, his prayer for bail is

rejected.

However, the petitioner, if so advised, may renew his prayer for bail in the court below if the witnesses in course of trial do not support the prosecution case.

avin. **(Shyam Kishore Sharma, J.)**

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